IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

MFA.No. 222 of 1998()

(O.A.NOS.126/76,119/76, 99/76, 51/76, 46/76, 31/76, 106/76, 121/76, 112/76, 39/76, 52/76, 64/76, 60/76, 56/76, 114/76, 122/76, 117/76 – ALL DATED 27/11/96 - FOREST TRIBUNAL, KOZHIKODE)

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APPELLANTS:
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1. **FR. JOHN KUNNATHUKUZHI, S/O.KUNNATHUKUZHI VARKEY, NOW RESIDING AT ST.XAVIER'S CHURCH, SACHIVOTHAMAPURAM P.O. KURICHY – APPLICANT IN O.A.126/76.**

2. **FR. MATHEW MUTTATHAZHATH, S/O.MUTTATHAZHATHU PETER, NOW RESIDING AT ST.BINIFACE CHURCH, PATTITHANAM P.O., ETTUMANOOR- APPLICANT IN O.S.119/76.**

3. **FR.GEORGE KALATHARA, ST.PIUS X. PRIESTS HOME, VIMALAGIRI, KOTTAYAM – 686 001 – APPLICANT IN O.S.99/76.**

4. **FR.JOSEPH MANIMALA, S/O.MANIMALA KURIAKOSE, NOW RESIDING AT INFANT JESUS SEMINARY, KEEZHUKUNNU, KOTTAYAM – 2 – APPLICANT IN O.S.51/76.**

5. **FR.AUGUSTINE MUNDAVALAYIL, ST.PIUS X.PRIESTS HOME, VIMALAGIRI , KOTTAYAM -M 2 – APPLICANT IN O.S.46/76.**

6. **FR.JOSEPH CHERIYIL, VIMALAGIRI CATHEDRAL, KEEZHUKUNNU, KOTTAYAM – 2- APPLICANT IN O.A.31/76.**

7. **FR.STANLY XAVIER, S/O.VILAYATH XAVIER, NOW RESIDING AT ST.PIUS X.PRIESTS HOME, VIMALAGIRI, KOTTAYAM – 2- APPLICANT IN O.A.106/76.**

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8. FR.JOSEPH ILLIMOOTTIL, MT.CARMEL CHURCH, ANDOOR, PALAKKATTUMALA – 686 613 – APPLICANT IN O.A.121/76.

9. FR.PAUL KANATT, ST.SEBASTIAN'S CHURCH, PULLARIKUNNU, MALLOOSSERY P.O., KOTTAYAM – 14 – APPLICANT IN O.A.112/76.

10. FR.PEETAR MUNDAKAL, MUNDAKAL HOUSE, KOTHAMANGALAM P.O. - APPLICANT IN O.S.39/76.

11. FR. JAMES KODIMATTAM, S/O.KODIMATTATH JOSEPH, NOW RESIDING AT LITTLE POWER CHURCH, ELIKULAM, MADUKKAUNNU P.O. 686 577 – APPLICANT IN O.A.52/76.

12. M.J.ABRAHAM, S/O.MADATHIRAMPIL JACOB, NOW RESIDING AT LITTLE FLOWER CATHOLIC CHURCH, KEECHAL, PUTHUPALLY P.O., KOTTAYAM – APPLICANT IN O.A.64/76.

13. FR.VARGHESE KELICHIMALA, PUSHPAGIRI, THIRUVALLA - APPLICANT IN O.A.64/76.

14. FR.MATHEW PERUMPALLIL, CLERGY HOME, PUSHPAGIRI, THIRUVALLA - APPLICANT IN O.A.56/76.

15. FR.JACOB NELLIKUNANTH S/O.NELLIKUNNATH JOSEPH, NOW RESIDING AT ARCHBISHOP'S HOUSE, CHANGANASSERRY – 686 101 – APPLICANT IN O.A.114/76.

16. FR. SEBASTIAN, NARAKATHARA, PRIESTS HOME, FORT CHANGANASSERRY – APPLICANT INO.A.122/76.

PETITIONER FR.JOHN NARAYAMPARAMBIL HAVING DIED UNMARRIED AFTER JUDGMENT HIS LEGAL REPRESENTATIVES ARE JOINED IN THE APPEAL – APPLICANT IN O.A.117/76.

BROTHERS AND LEGAL REPRESENTATIVES OF DECEASED FR.JOHN NARAYAMPARAMBIL

17. JOSEPH VARGHESE NARAYAMPARAMBIL, S/O.JOSEPH, NARAYAMPARAMBIL HOUSE, THURAVOOR DESOM, THURAVOOR SOUTH VILLAGE.

18. N.J.JOSEPH, NARAYAMPARAMBIL, S/O.JOSEPH, NARAYAMPARAMBIL HOUSE, THURAVOOR DESOM, THURAVOOR SOUTH VILLAGE.

19. ABRAHAM JOSEPH NARAYAMPARAMBIL, S/O.JOSEPH, NARAYAMPARAMBIL HOUSE, THURAVOOR DESOM, THURAVOOR SOUTH VILLAGE.

20. LEIOJ JOSEPH, S/O.JOSEPH NARAYAMPARAMBIL, RESIDING AT THRIKKAKARA DESOM, CHANGAMPUZHA NAGAR PO.

SISTERS AND LEGAL REPRESENTATIVES OF DECEASED FR.JOHN NARAYAMPARAMBIL

21. ANNAKUTTY VARGHESE, ERAVIMANGALAM HOUSE, THAIKATTUSSERY DESOM, CHERTHALA.

22. THRESIAMMA DAVIS, INJODI HOUSE, EDAKKUNNU, KARUKUTTY.

23. MARIAM JOSEPH, ASSARIPARAMBIL, VAZHAKKALA, KAKKANAD.

24. ROSAMMA JOSE MANJOORAN, MANJOORAN HOUSE, PIPIELINE JUNCTION, THRIKKAKARA.

BY ADV. SRI.V.O.JOHN
SRI.JIMMY JOHN VELLANIKARAN

RESPONDENTS:
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1. **KERALA STATE REPRESENTED BY CHIEF SECRETARY TO GOVERNMENT, THIRUVANANTHAPURAM – 1ST RESPONDENT IN OAs**

2. **CUSTODIAN, THE SPECIAL SECRETARY, AGRICULTURAL DEPARTMENT (FOREST SPECIAL) 2ND RESPONDENT IN ALL OAs**

BY GOVERNMENT PLEADER SRI. M.P. PRAKASH

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 09/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.Koshy & K.P.Balachandran, JJ.

M.F.A.No. 222 of 1998

JUDGMENT

Koshy, J.

When the case was called, counsel for the appellants submitted that in spite of issuing registered letters, his clients are not responding and therefore, there is no instruction. The appellants were absent. Hence, the appeal is dismissed for default.

(J.B.Koshy, Judge)

9th July, 2007

(K.P.Balachandran, Judge)

tkv

J.B.Koshy & K.P.Balachandran, JJ.

M.F.A.No.222 of 1998

JUDGMENT

9th July, 2007